TITLE 37—PAY AND ALLOWANCES OF THE UNIFORMED SERVICES

This title was enacted by Pub. L. 87-649, § 1, Sept. 7, 1962, 76 Stat. 451

CHAPTER 1—DEFINITIONS

§ 101. Definitions

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 sections 3326, 3501, 5531; title 10 section 2774; title 20 section 238; title 26 section 6013; title 32 section 716; title 33 section 857-1; title 42 sections 1594j-1, 1973cc-21.

CHAPTER 3—BASIC PAY

Sec.
209. Members of precommissioning programs.

AMENDMENTS

1977—Pub. L. 95-79, title III, § 302(a)(3)(C), July 30, 1977, 91 Stat. 326, substituted "precommissioning programs" for "Senior Reserve Officers' Training Corps" in item 209.

§ 201. Pay grades: assignment to; general rules

[See main edition for text of (a) and (b)]

(c) For the purpose of computing their basic pay, warrant officers of the armed forces are assigned, by the warrant officer grade in which serving, to the following pay grades:

Pay Grade	*Warrant Officer Grade*
W-4	Chief Warrant Officer, W-4
W-3	Chief Warrant Officer, W-3
W-2	Chief Warrant Officer, W-2
W-1	Warrant Officer, W-1.

(d) An aviation cadet of the Navy, Air Force, Marine Corps, or Coast Guard is entitled to monthly basic pay at the rate of 50 percent of the basic pay of a commissioned officer in pay grade O-1 with two or less years of service computed under section 205 of this title.

(e) Unless he is entitled to the basic pay of a higher pay grade, an aviation pilot of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve is entitled to monthly basic pay at the rate prescribed for pay grade E-5.

(f) Except as provided by subsections (e) and (f) of this section, enlisted members of the uniformed services shall, for the purpose of computing their basic pay, be distributed by the Secretary concerned in the various enlisted pay grades set forth in section 203 of this title. However, except as provided by section 307 of this title, an enlisted member may not be placed in pay grade E-8 or E-9 until he has completed at least 8 years or 10 years, respectively, of enlisted service computed under section 205 of this title.

(As amended Pub. L. 95-79, title III, § 302(a)(1), July 30, 1977, 91 Stat. 326.)

AMENDMENTS

1977—Subsec. (c). Pub. L. 95-79, § 302(a)(1), redesignated former subsec. (d) as (c). Former subsec. (c), which related to the monthly rate of pay of cadets or midshipmen at the service academies of the United States, was struck out.

Subsecs. (d) to (f). Pub. L. 95-79, § 302(a)(1)(B), redesignated former subsecs. (e) to (g) as (d) to (f). Former subsec. (d) redesignated (c).

Subsec. (g). Pub. L. 95-79, § 302(a)(1)(B), redesignated subsec. (g) as (f).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 555; title 18 section 207.

§ 203. Rates

[See main edition for text of (a) and (b)]

(c)(1) A cadet at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy, or a midshipman at the United States Naval Academy, is entitled to monthly cadet pay, or midshipman pay, at the rate of $313.20.

(2) The rate of monthly cadet pay, or midshipman pay, under this subsection shall be adjusted in the manner and at the time the monthly basic pay of members of the uniformed services is adjusted under section 1009 of this title.

(As amended Pub. L. 95-79, title III, § 302(a)(2), July 30, 1977, 91 Stat. 326.)

AMENDMENTS

1977—Subsec. (c). Pub. L. 95-79 added subsec. (c).

ADJUSTMENT OF PAY RATES

For adjustment of pay rates effective Oct. 1, 1978, see Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, set out as a note under section 1009 of this title.

RATE OF PAY INCREASES FOR CADETS, MIDSHIPMAN, AND APPLICANTS FOR MEMBERSHIP IN SENIOR RESERVE OFFICERS' TRAINING CORPS

Section 302(b) and (c) of Pub. L. 95-79 provided that: "(b) Any cadet or midshipman who, on the date of enactment of this Act [July 30, 1977], or on any date thereafter, is—

"(1) admitted to the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the Coast Guard Academy, as the case may be, or

"(2) enrolled in the Senior Reserve Officers' Training Corps program and attending a field training encampment or practice cruise for which he is entitled to pay under section 209(c) of title 37, United States Code,

shall, if otherwise entitled, receive the rate of pay prescribed by section 201(c) of title 37, United States Code, as in effect on the day before the date of enactment of this Act, [July 30, 1977], until the rate of pay authorized by section 203(c) of such title, as added by the amendments made by subsection (a) of this section, is equal to or greater than the rate prescribed by section 201(c) of such title, as in effect on the day before the date of enactment of this Act. Thereafter, the rate of pay of such person shall be as prescribed by section 203(c) of such title, as added by the amendments made by subsection (a) of this section, or section 209(c) of such title, as amended by subsection (a) of this section, as appropriate.

"(c) A person who, on the date of enactment of this Act [July 30, 1977], is an applicant for membership in the Senior Reserve Officers' Training Corps and who, in order to satisfy the requirement of section 2104(b)(6)(B) of title 10, United States Code, is attending or will attend one of the field training encampments or practice cruises in a field training or practice cruise period which is in progress on the date of enactment of this Act, is entitled to continue to receive pay at the rate prescribed by such section as in effect on the day before the date of enactment of this Act while such person is attending such field training or practice cruise period in progress on the date of enactment of this Act. Thereafter, the entitlement of such person shall be as prescribed in subsection (b) of this section."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 201, 209, 1009 of this title; title 10 section 1401a.

§ 207. Band leaders

(a) The leader of the Army Band is entitled to the basic pay of a captain in the Army.

(b) The leader of the United States Navy Band is entitled to the basic pay of a lieutenant in the Navy.

(c) A member of the Marine Corps who is appointed as director or assistant director of the United States Marine Band under section 6222 of title 10 is entitled, while serving thereunder, only to the basic pay of an officer in the grade in which he is serving. However, his basic pay may not be less that to which he was entitled at the time of his appointment under that section.

(d) The leader of the Naval Academy Band is entitled to the basic pay of the grade the Secretary of the Navy prescribes. The second leader is entitled to the basic pay of a warrant officer, W-1.

(e) The director of the Coast Guard Band is entitled to the basic pay of an officer in the grade in which he is serving. However, his basic pay may not be less than that to which he was entitled at the time of his appointment as director.

[(f) Redesignated (e)]

(As amended Pub. L. 95-551, § 3(b)(1), Oct. 30, 1978, 92 Stat. 2069.)

AMENDMENTS

1978—Subsec. (b). Pub. L. 95-551 redesignated former subsec. (c) as (b). Former subsec. (b), which provided that the director of music at the United States Military Academy be entitled to the basic pay of a commissioned officer of the rank prescribed for the director by the Secretary of the Army, was struck out.

Subsecs. (c) to (e). Pub. L. 95-551 redesignated former subsecs. (d) to (f) as (c) to (e), respectively.

Subsec. (f) Pub. L. 95-551 redesignated former subsec. (f) as (e).

§ 209. Members of precommissioning programs

[*See main edition for text of* (a) *and* (b)]

(c) Each cadet or midshipman in the Senior Reserve Officers' Training Corps, while he is attending field training or practice cruises under section 2109 of title 10, and each applicant for membership in the Senior Reserve Officers' Training Corps, while he is attending field training or practice cruises to satisfy the requirements of section 2104(b)(6)(B) of title 10 for admission to advanced training, is entitled, while so attending, to pay at the rate prescribed for cadets and midshipmen at the United States Military, Naval, and Air Force Academies under section 203(c) of this title.

(As amended Pub. L. 95-79, title III, § 302(a)(3), July 30, 1977, 91 Stat. 326.)

AMENDMENTS

1977—Pub. L. 95-79, § 302(a)(3)(B), in catchline substituted "Members of precommissioning programs" for "Members of Senior Reserve Officers' Training Corps".

Subsec. (c). Pub. L. 95-79, § 302(a)(3)(A), substituted provisions authorizing rates of pay for cadets and midshipmen in the Senior Reserve Officers' Training Corps and applicants for membership in the Corps to be computed under section 203(c) of this title, for provisions authorizing rates of pay for members of the Senior Reserve Officers' Training Corps to be computed under section 201(c) of this title and for applicants for membership in the Corps to be computed under section 203 of this title for enlisted members in pay grade E-1.

SUBSISTENCE ALLOWANCES FOR MEMBERS OF THE MARINE CORPS OFFICER CANDIDATE PROGRAMS

Pub. L. 92-172, Nov. 24, 1971, 85 Stat. 491, as amended by Pub. L. 94-361, title VI, § 604, July 14, 1976, 90 Stat. 929; Pub. L. 95-79, title VIII, § 806, July 30, 1977, 91 Stat. 334; Pub. L. 95-485, title VIII, § 803, Oct. 20, 1978, 92 Stat. 1620, provided: "That until September 30, 1980, except when on active duty, a member enrolled in a Marine Corps officer candidate program which requires a baccalaureate degree as a prerequisite to being commissioned as a regular or reserve officer, and who is not enrolled in a program or an academy established under chapter 103, 403, 603, or 903 of title 10, United States Code, may be paid a subsistence allowance at the same rate as that prescribed by section 209(a) of title 37, United States Code."

CHAPTER 5—SPECIAL AND INCENTIVE PAYS

Sec.
305. Special pay; while on duty at certain places.
305a. Special pay: career sea pay.
308b. Special pay; reenlistment bonus for members of the Selected Reserve.
308c. Special pay: bonus for enlistment in the Selected Reserve.

AMENDMENTS

1978—Pub. L. 95-485, title IV, § 404(b), title VIII, § 804(b)(2), Oct. 20, 1978, 92 Stat. 1615, 1621, substituted "on duty" for "on sea duty or duty" in item 305, and added items 305a and 308c.

1977—Pub. L. 95-79, title IV, § 403(a)(2), July 30, 1977, 91 Stat. 331, added item 308b.

§ 301. Incentive pay: hazardous duty

EX. ORD. NO. 11157. REGULATIONS RELATING TO INCENTIVE PAY, SPECIAL PAY, AND ALLOWANCES

Ex. Ord. No. 11157, June 22, 1964, 29 F.R. 7973, as amended by Ex. Ord. No. 11242, Aug. 28, 1965, 30 F.R.

11205; Ex. Ord. No. 11253, Oct. 20, 1965, 30 F.R. 13509; Ex. Ord. No. 11259, Dec. 3, 1965, 30 F.R. 15057; Ex. Ord. No. 11292, Aug. 1, 1966, 31 F.R. 10447; Ex. Ord. No. 11382, Nov. 28, 1967, 32 F.R. 16247; Ex. Ord. No. 11424, Aug. 29, 1968, 33 F.R. 12361; Ex. Ord. No. 11473, June 14, 1969, 34 F.R. 9485; Ex. Ord. No. 11511, Feb. 27, 1970, 35 D.E. 3877; Ex. Ord. No. 11591, Apr. 23, 1971, 36 F.R. 7833; Ex. Ord. No. 11716, Apr. 26, 1973, 38 F.R. 10621; Ex. Ord. No. 11728, July 12, 1973, 38 F.R. 18861; Ex. Ord. No. 11897, Jan. 13, 1976, 41 F.R. 2071; Ex. Ord. No. 11929, July 26, 1976, 41 F.R. 31159; Ex. Ord. No. 11939, Sept. 30, 1976, 41 F.R. 43705; Ex. Ord. No. 12094, Nov. 1, 1978, 43 F.R. 51379, provided:

[See main edition for text of first par., and Part I]

PART II—SPECIAL PAY FOR SEA DUTY AND DUTY AT CERTAIN PLACES

Sec. 201. Provided they have over three cumulative years of sea duty, enlisted members of a uniformed service who are in pay grade E-4 or above and who are entitled to receive basic pay shall be entitled to receive, additionally, career sea pay while on sea duty. The period of sea duty shall include the date of reporting and the date of detachment as stated in orders. Career sea pay shall be at the rates prescribed in section 305a of title 37, United States Code.

Sec. 202. (a) For the purpose of entitlement to career sea pay, the term "sea duty" shall mean duty performed by enlisted members:

(1) while permanently assigned for duty to a vessel, ship-based staff, or ship-based aviation unit pursuant to orders issued by competent authority and serving in a ship whose primary mission is accomplished underway, including—

i. periods not to exceed the first 30 consecutive days of temporary additional duty ashore; and

ii. periods not to exceed the first 90 days during which messing or berthing facilities, or both, are temporarily out of service in order to permit alterations or repairs.

(2) while temporarily assigned for duty to a vessel, ship-based staff, or ship-based aviation unit pursuant to orders issued by competent authority and serving in a ship whose primary mission is accomplished underway. The period of service shall include periods not to exceed the first 30 consecutive days of further temporary additional duty ashore from the ship.

(3) while permanently or temporarily assigned for duty to a vessel or ship-based staff pursuant to orders issued by competent authority and serving in a ship whose primary mission is accomplished in port, but only during periods while the ship is away from its home port for at least 30 consecutive days.

(b) For the purpose of this section, the word "vessel" or "ship" shall mean a self-propelled vessel that is in an active status, in commission or in service and is equipped with berthing and messing facilities.

Sec. 203. The Secretaries concerned (within the meaning of section 101(5) of title 37, United States Code) with respect to personnel of the uniformed service within their respective departments, are hereby authorized to prescribe such supplementary regulations, not inconsistent herewith, as they may deem necessary or desirable for carrying out the provisions of sections 305 and 305a of title 37 and this Executive Order. Such regulations shall be uniform for all the services to the fullest extent possible.

Sec. 204. Enlisted members entitled to receive basic pay shall be entitled to receive, additionally, pay at the rates prescribed by section 305(a) of title 37 of the United States Code while on duty at places that are outside the 48 contiguous States and the District of Columbia and that are designated for this purpose by the Secretary of Defense or, in the case of enlisted members of the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation. Subject to provisions of section 305 of title 37 of the United States Code, an enlisted member who is permanently assigned to duty at a place so designated is entitled to receive that pay during a period of authorized leave, temporary additional duty, temporary duty, or hospitalization or while on an operational aircraft flight, but not more than 30 days while he is away from that place. Enlisted members shall be entitled to special pay under this section when attached to ships undergoing repair and overhaul in designated foreign-duty areas for extended periods when entitlement to special pay for sea duty has been terminated. Such enlisted members shall be entitled to special pay for sea duty under the same conditions as an enlisted member on temporary additional duty or temporary duty in that designated foreign-duty area.

Sec. 205. Unless otherwise entitled to special pay in accord with the second sentence of section 204 hereof, during periods spent on temporary additional duty or temporary duty or on operational aircraft flights, pay in accord with section 204 shall accrue to enlisted members only for periods of eight continuous days or more in duration at one or more places designated, including the dates of arrival at and the dates of departure from those places.

Sec. 206. (a) No enlisted member shall be entitled under this order to receive both career sea pay and pay for duty prescribed in sections 204 and 205 hereof for the same period of time.

(b) No enlisted member shall be entitled to receive career sea pay while in receipt of monetary allowance in lieu of rations, except during a period when messing facilities are temporarily out of operation to permit alterations or repairs not to exceed 90 days, provided such member is not authorized leave during such period.

[Secs. 207, 208. Eliminated]

PART III—BASIC ALLOWANCES FOR SUBSISTENCE

[See main edition for text of secs 301 to 303]

PART IV—BASIC ALLOWANCE FOR QUARTERS

SEC. 401. As used in this part:

[See main edition for text of (a) and (b)]

(c) The term "sea duty" shall mean service performed by either an officer or enlisted member in a self-propelled vessel that is in an active status, in commission or in service and is equipped with berthing and messing facilities.

[See main edition for text of secs. 402 to 408, Part V]

§ 302. Special pay: physicians

EFFECTIVE AND TERMINATION DATES OF 1974 AMENDMENT

Section 2 of Pub. L. 93-274, as amended by Pub. L. 94-273, § 2(18), Apr. 21, 1976, 90 Stat. 375; Pub. L. 94-361, title III, § 305, July 14, 1976, 90 Stat. 926; Pub. L. 95-114, § 1, Sept. 30, 1977, 91 Stat. 1046; Pub. L. 95-485, title VIII, § 801(a), Oct. 20, 1978, 92 Stat. 1619, provided that: "The amendments made by this Act [enacting sections 203b and 313 of this title and amending sections 302 and 311 of this title] become effective on the first day of the first calendar month following the date of enactment [May 6, 1974]. The authority for the special pay provided by the amendments made by the first section of this Act [enacting sections 302b and 313 of this title and amending sections 302 and 311 of this title] shall expire on September 30, 1980."

§ 302a. Special pay: optometrists

(a) In addition to any other basic pay, special pay, incentive pay, or allowances to which he is entitled, each of the following officers is entitled to special pay at the rate of $100 a month

for each month of active duty beginning on or after October 1, 1977:

(1) a commissioned officer—

(A) of the Regular Army, Regular Navy, or Regular Air Force who is designated as an optometry officer, or

(B) who is an optometry officer of the Regular Corps of the Public Health Service;

(2) a commissioned officer—

(A) of a Reserve component of the Army, Navy, or Air Force who is designated as an optometry officer; or

(B) who is an optometry officer of the Reserve Corps of the Public Health Service,

who is on active duty as a result of a call or order to active duty for a period of at least one year; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2), in the Army, Air Force, or the National Guard, as the case may be.

(b) The amount set forth in subsection (a) of this section may not be included in computing the amount of an increase in pay authorized by any other provision of this title or in computing retired pay or severance pay.

(c) No special pay may be paid under this section for any month after September 1980.

(As amended Pub. L. 95–114, § 2, Sept. 30, 1977, 91 Stat. 1046; Pub. L. 95–485, title VIII, § 801(b), Oct. 20, 1978, 92 Stat. 1619.)

AMENDMENTS

1978—Subsec. (c). Pub. L. 95–485 substituted "September 1980" for "September 1978".

1977—Subsec. (a). Pub. L. 95–114 amended subsec. (a) to provide for the reinstatement of special pay provisions for optometrists for each month on active duty beginning on or after Oct. 1, 1977.

Subsec. (b). Pub. L. 95–114 reenacted subsec. (b) without change.

Subsec. (c). Pub. L. 95–114 added subsec. (c).

EFFECTIVE DATE OF 1977 AMENDMENT

Section 4 of Pub. L. 95–114 provided that: "The amendments made by sections 2 and 3 of this Act [amending this section and section 303 of this title] become effective on October 1, 1977."

§ 303. Special pay: veterinarians

(a) In addition to any other basic pay, special pay, incentive pay, or allowances to which he is entitled, each of the following officers is entitled to special pay at the rate of $100 a month for each month of active duty beginning on or after October 1, 1977:

(1) a commissioned officer—

(A) of the Regular Army who is in the Veterinary Corps,

(B) of the Regular Air Force who is designated as a veterinary officer, or

(C) who is a veterinary officer of the Regular Corps of the Public Health Service;

(2) a commissioned officer—

(A) of a Reserve component of the Army who is in the Veterinary Corps of the Army,

(B) of a Reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who is designated as a veterinary officer of the Army or the Air Force, as the case may be, or

(C) who is a veterinary officer of the Reserve Corps of the Public Health Service,

who is on active duty as a result of a call or order to active duty for a period of at least one year; and

(3) a general officer of the Army or the Air Force appointed, from any of the categories named in clause (1) or (2) of this subsection, in the Army, the Air Force, or the National Guard, as the case may be.

(b) The amount set forth in subsection (a) of this section may not be included in computing the amount of an increase in pay authorized in any other provision of this title or in computing retired pay or severance pay.

(c) No special pay may be paid under this section for any month after September 1980.

(As amended Pub. L. 95–114, § 3, Sept. 30, 1977, 91 Stat. 1046; Pub. L. 95–485, title VIII, § 801(b), Oct. 20, 1978, 92 Stat. 1619.)

AMENDMENTS

1978—Subsec. (c). Pub. L. 95–485 substituted "September 1980" for "September 1978".

1977—Subsec. (a). Pub. L. 95–114 amended subsec. (a) to provide for the reinstatement of special pay provisions for veterinarians for each month on active duty beginning on or after Oct. 1, 1977.

Subsec. (b). Pub. L. 95–114 reenacted subsec. (b) without change.

Subsec. (c). Pub. L. 95–114 added subsec. (c).

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95–114 effective Oct. 1, 1977, see section 4 of Pub. L. 95–114, set out as an Effective Date of 1978 Amendment note under section 302a of this title.

§ 305. Special pay: while on duty at certain places

(a) Except as provided by subsections (b) and (c) of this section, under regulations prescribed by the President, an enlisted member of a uniformed service who is entitled to basic pay may, while on duty at a designated place outside the 48 contiguous States and the District of Columbia, be paid special pay at the following monthly rates:

Pay grade	Monthly rate
E–9	$22.50
E–8	22.50
E–7	22.50
E–6	20.00
E–5	16.00
E–4	13.00
E–3	9.00
E–2	8.00
E–1	8.00

[*See main edition for text of* (b)]

(c) A member receiving special pay under section 305a of this title may not be paid special pay under this section for the same period of service.

(As amended Pub. L. 95–485, title VIII, § 804(b)(1), Oct. 20, 1978, 92 Stat. 1620.)

AMENDMENTS

1978—Pub. L. 95-485, § 804(b)(1)(C), substituted in section catchline "on duty" for "on sea duty or duty".

Subsec. (a). Pub. L. 95-485, § 804(b)(1)(A), inserted reference to subsec. (c) of this section and struck out provision entitling an enlisted member of a uniformed service who is entitled to basic pay to special pay while on sea duty.

Subsec. (c). Pub. L. 95-485, § 804(b)(1)(B), added subsec. (c).

EFFECTIVE DATE OF 1978 AMENDMENT

Section 804(b)(3) of Pub. L. 95-485 provided that: "The amendments made by this subsection [amending this section] shall take effect of October 1, 1978."

SEA DUTY PERFORMED BETWEEN OCTOBER 1, 1978 AND SEPTEMBER 30, 1981

Section 804(c) of Pub. L. 95-485 provided that: "Any individual who on September 30, 1978, is an enlisted member of a uniformed service shall be eligible to receive special pay under section 305(a)(1) of title 37, United States Code, as in effect on September 30, 1978, for any period of sea duty performed by such individual during the period beginning on October 1, 1978, and ending on September 30, 1981, for which such individual does not receive special pay under section 305a of such title (as added by subsection (a))."

§ 305a. Special pay: career sea pay

(a) Under regulations prescribed by the President, an enlisted member of a uniformed service who is entitled to basic pay and who (1) is in pay grade E-4 or above, and (2) has served more than three years of sea duty, is also entitled, while on sea duty, to special pay at the applicable rate under subsection (b).

(b)(1) For sea duty performed during fiscal year 1979 or 1980, the monthly rates for special pay under subsection (a) are as follows:

Years of sea duty:	Monthly rate
Over 3	$25
Over 5	35
Over 12	55

(2) For sea duty performed during fiscal year 1981, the monthly rates for special pay under subsection (a) are as follows:

Years of sea duty:	Monthly rate
Over 3	$25
Over 5	35
Over 7	45
Over 12	55

(Added Pub. L. 95-485, title VIII, § 804(a)(1), Oct. 20, 1978, 92 Stat. 1620.)

AMENDMENT OF SUBSEC. (b)

Pub. L. 95-485, title VIII, § 804(a)(2), Oct. 20, 1978, 92 Stat. 1620, provided that, effective Oct. 1, 1981, subsec. (b) is amended to read as follows:

(b) The monthly rates for special pay under subsection (a) are as follows:

Years of sea duty:	*Monthly rate*
Over 3	*$25*
Over 5	*35*
Over 7	*45*
Over 9	*55*
Over 10	*65*
Over 11	*75*
Over 12	*100*

EFFECTIVE DATE

Section 804(a)(1) of Pub. L. 95-485 provided in part that this section is effective Oct. 1, 1978.

DETERMINATION OF AMOUNT OF SEA CREDIT; PERIODS PRIOR TO OCTOBER 1, 1978

Section 804(a)(3) of Pub. L. 95-485 provided that: "In determining the amount of sea duty to be credited to an enlisted member of a uniformed service for purposes of section 305a of title 37, United States Code (as added by paragraph (1)), the Secretary concerned shall credit such member with all periods of service by such member before October 1, 1978, during which such member served in a sea duty status."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 305 of this title.

§ 308. Special pay: reenlistment bonus

(a)(1) A member of a uniformed service who—

(A) has completed at least twenty-one months of continuous active duty (other than for training) but not more than ten years of active duty;

(B) is qualified in a military skill designated as critical by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as service in the Navy;

(C) is not receiving special pay under section 312a of this title; and

(D) reenlists or voluntarily extends his enlistment in a regular component of the service concerned for a period of at least three years;

may be paid a bonus, not to exceed six months of the basic pay to which he was entitled at the time of his discharge or release, multiplied by the number of years, or the monthly fractions thereof, of additional obligated service, not to exceed six years, or $15,000, whichever is the lesser amount. Obligated service in excess of twelve years will not be used for bonus computation.

(2) Notwithstanding paragraph (1)(B) of this subsection, a member who agrees to train and reenlist for service in a military skill which, at the time of that agreement, is designated as critical, may be paid the bonus approved for that skill, at the rate in effect at the time of agreement, upon completion of training and qualification in that skill, if otherwise qualified under this subsection and even if that skill is no longer designated as critical at the time the member becomes eligible for payment of the bonus.

[*See main edition for text of* (b) *and* (c)]

(d) A member who voluntarily, or because of his misconduct, does not complete the term of enlistment for which a bonus was paid to him under this section or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a member who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus that the unexpired part of his additional obligated service is of the total reenlistment or extension period for which the bonus was paid.

[*See main edition for text of* (e)]

(f) No bonus shall be paid under this section with respect to any reenlistment, or voluntary

extension of an active-duty enlistment, in the armed forces entered into after September 30, 1980.

(As amended Pub. L. 95–57, § 1, June 29, 1977, 91 Stat. 253; Pub. L. 95–485, title VIII, § 802(a)(1), (b), Oct. 20, 1978, 92 Stat. 1619.)

AMENDMENTS

1978—Subsec. (a). Pub. L. 95–485, § 802(a)(1), designated existing provision as par. (1) and existing pars. (1) to (4) thereof as subpars. (A) to (D), in subpar. (B) as so redesignated, substituted "qualified in a military skill designated as critical" for "designated as having a critical military skill", and added par. (2).

Subsec. (f). Pub. L. 95–485, § 802(b), substituted "September 30, 1980" for "September 30, 1978".

1977—Subsec. (d). Pub. L. 95–57, § 1(a), substituted "or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a member who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus, that the unexpired part of his additional obligated service is of the total reenlistment or extension period for which the bonus was paid" for "shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid".

Subsec. (f). Pub. L. 95–57, § 1(b), substituted "September 30, 1978" for "June 30, 1977".

EFFECTIVE DATE OF 1978 AMENDMENT

Section 802(a)(2) of Pub. L. 95–485 provided that: "The amendments made by paragraph (12) [amending subsec. (a) of this section] shall take effect on October 1, 1978."

EFFECTIVE DATE OF 1977 AMENDMENT

Section 3 of Pub. L. 95–57 provided that: "The amendments made by this Act [amending this section and section 308a of this title] shall become effective on July 1, 1977."

§ 308a. Special pay: enlistment bonus

[*See main edition for text of (a)*]

(b) Under regulations prescribed by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, a person who voluntarily, or because of his misconduct, does not complete the term of enlistment for which a bonus was paid to him under this section or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a person who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid.

(c) No bonus shall be paid under this section with respect to any enlistment or extension of an initial period of active duty in the armed forces made after September 30, 1980.

(As amended Pub. L. 95–57, § 2, June 29, 1977, 91 Stat. 253; Pub. L. 95–485, title VIII, § 802(b), Oct. 20, 1978, 92 Stat. 1619.)

AMENDMENTS

1978—Subsec. (c). Pub. L. 95–485 substituted "September 30, 1980" for "September 30, 1978".

1977—Subsec. (b). Pub. L. 95–57, § 2(a), substituted "or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a person who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid" for "shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid".

Subsec. (c). Pub. L. 95–57, § 2(b), substituted "September 30, 1978" for "June 30, 1977".

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95–57 effective on July 1, 1977, see section 3 of Pub. L. 95–57, set out as an Effective Date of 1977 Amendment note under section 308 of this title.

§ 308b. Special pay: reenlistment bonus for members of the Selected Reserve

(a) An enlisted member of a reserve component who—

(1) has completed less than ten years of total military services; and

(2) reenlists or voluntarily extends his enlistment for a period of three years or for a period of six years in a designated military skill, or in a designated unit, as determined by the Secretary concerned, in the Selected Reserve of the Ready Reserve of an armed force;

may be paid a bonus as provided in subsection (b).

(b) The bonus to be paid under subsection (a) shall be—

(1) an initial payment of—

(A) an amount not to exceed $450, in the case of a member who reenlists or voluntarily extends his enlistment for a period of three years; or

(B) an amount not to exceed $900, in the case of a member who reenlists or voluntarily extends his enlistment for a period of six years; and

(2) a subsequent payment of not to exceed $150 upon the completion of each year of the period of such reenlistment or extension of enlistment during which such member has satisfactorily participated in training with his unit.

(c) No member shall be paid more than one bonus under this section.

(d) A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus is being paid to him under this section shall refund an amount equal to the amount by which the amount of such bonus exceeds the product of—

(1) the number of months during that term of enlistment during which such member participated satisfactorily in training with his unit; and

(2) $25.

(e) The Secretary of Defense shall submit a report to the Congress every three months listing the units of the Selected Reserve of the Ready Reserve which have been designated by him for purposes of subsection (a)(3) and stating the number of members of the Selected Reserve of the Ready Reserve who at the time of

such report are serving a term of enlistment for which a bonus is being paid under this section. The first such report shall be submitted not later than December 31, 1977.

(f) This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when it is not operating as a service in the Navy.

(g) No bonus may be paid under this section to any enlisted member who, after September 30, 1980, reenlists or voluntarily extends his enlistment in a reserve component.

(Added Pub. L. 95–79, title IV, § 403(a)(1), July 30, 1977, 91 Stat. 330, and amended Pub. L. 95–485, title IV, § 403, Oct. 20, 1978, 92 Stat. 1614.)

AMENDMENTS

1978—Subsec. (a). Pub. L. 95–485, § 403(a), substituted provision requiring that for an enlisted member of a reserve component to be eligible for the bonus provided in subsec. (b) he has completed less than 10 years of total military services for provision requiring that the enlisted member had initially enlisted in a reserve component, other than a reserve component under the delayed enlistment program for the active forces, and that he had completed less than 10 years of service as a member of a reserve component.

Subsec. (b). Pub. L. 95–485, § 403(b), inserted "an amount not to exceed" preceding "$450", "$900", and "$150", respectively.

Subsec. (g). Pub. L. 95–485, § 403(c), substituted "September 30, 1980" for "September 30, 1978".

EFFECTIVE DATE

Section 403(b) of Pub. L. 95–79 provided that: "The amendments made by subsection (a) [enacting this section] shall apply with respect to any reenlistment, or voluntary extension of an enlistment, in the Selected Reserve of any reserve component of the Armed Forces after September 30, 1977."

§ 308c. Special pay: bonus for enlistment in the Selected Reserve

(a) Any person who, after September 30, 1978, enlists in the Selected Reserve of the Ready Reserve of an armed force for a term of enlistment of not less than six years, is a graduate of a secondary school, and has never previously served in an armed force may be paid a bonus as provided in subsection (b).

(b) The amount and method of payment of a bonus to be paid under subsection (a) shall be determined in accordance with regulations prescribed under subsection (c), except that the amount of such bonus may not exceed $2,000 and—

(1) one-half of the bonus shall be paid upon completion of the initial active duty for training of such person; and

(2) the remainder of the bonus may be paid in periodic installments or in a lump sum, as determined by the Secretary concerned.

(c) This section shall be adminstered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when it is not operating as a service in the Navy.

(d) A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus has been paid to him under this section shall refund an amount which bears the same ratio to the amount of the bonus which has been paid to him as the unexpired part of such term of enlistment bears to the total length of such term of enlistment.

(e) The Secretary of defense[1] shall submit a report to the Congress every three months stating the number of members of the Selected Reserve of the Ready Reserve who at the time of such report are serving a term of enlistment for which a bonus has been paid under this section and listing each unit of the Selected Reserve of the Ready Reserve to which any such member is assigned at the time of such report. The first such report shall be made not later than December 31, 1978.

(f) No bonus may be paid under this section to any enlisted member who, after September 30, 1980, enlists in the Selected Reserve of the Ready Reserve of an armed force.

(Added Pub. L. 95–485, title IV, § 404(a), Oct. 20, 1978, 92 Stat. 1614.)

CHAPTER 7—ALLOWANCES

Sec.
429. Travel and transportation allowances: minor dependent schooling.

AMENDMENTS

1978—Pub. L. 95–561, title XIV, § 1407(c)(1)(B), Nov. 1, 1978, 92 Stat. 2367, added item 429.

§ 402. Basic allowance for subsistence

ADJUSTMENT OF ALLOWANCES FOR SUBSISTENCE

For adjustment of subsistence allowances effective Oct. 1, 1978, see Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, set out as a note under section 1009 of this title.

§ 403. Basic allowance for quarters

ADJUSTMENT OF ALLOWANCES FOR QUARTERS

For adjustment of quarters allowances effective Oct. 1, 1978, see Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, set out as a note under section 1009 of this title.

§ 424. Band leaders

(a) The leader of the Army Band is entitled to the allowances of a captain in the Army.

(b) The leader of the United States Navy Band is entitled to the allowances of a lieutenant of the Navy.

(c) A member of the Marine Corps who is appointed as director or assistant director of the United States Marine Corps Band under section 6222 of title 10, is entitled, while serving thereunder, only to the allowances of an officer in the grade in which he is serving. However, his allowances may not be less than those to which he was entitled at the time of his appointment under that section.

(d) The leader of the Naval Academy Band is entitled to the allowances of the pay grade prescribed for him by the Secretary of Navy under section 207(e) of this title. The second leader is entitled to the allowances of a warrant officer, W–1.

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[1] So in original. Probably should be "Defense".

(e) The director of the Coast Guard Band is entitled to the allowances of an officer in the grade in which he is serving. However, his allowances may not be less than those to which he was entitled at the time of his appointment as director.

[(f) Redesignated (e)]

(As amended Pub. L. 95-551, § 3(b)(2), Oct. 30, 1978, 92 Stat. 2069.)

AMENDMENTS

1978—Subsec. (b). Pub. L. 95-551 redesignated former subsec. (c) as (b). Former subsect. (b), which provided that the director of music at the United States Military Academy be entitled to allowances of a commissioned officer of the rank prescribed for the director by the Secretary of the Army, was struck out.

Subsecs. (c) to (e). Pub. L. 95-551 redesignated former subsec. (d) to (f) as (c) to (e), respectively.

Subsec. (f). Pub. L. 95-551 redesignates former subsec. (f) as (e).

§ 429. Travel and transportation allowances: minor dependent schooling

Under regulations to be prescribed by the Secretary of Defense, a member of a uniformed service whose permanent station is outside the United States may be allowed transporation in kind for any minor dependent (or reimbursement therefor), or a monetary allowance in place of such transportation in kind, to a school operated by the Department of Defense under the Defense Dependents' Education Act of 1978 for dependents in an overseas area which is operated, and which such dependent attends, on a 5-day-a-week dormitory basis or on a 7-day-a-week dormitory basis. In the case of a dependent attending a school on a 5-day-a-week dormitory basis, the transportation in kind or allowance authorized by this section shall be for weekly trips to and from such school, and in the case of a dependent attending a school on a 7-day-a-week dormitory basis, such transportation in kind or allowances shall be for not less than three trips to and from such school during the school year.

(Added Pub. L. 95-561, title XIV, § 1407(c)(1)(A), Nov. 1, 1978, 92 Stat. 2367.)

REFERENCES IN TEXT

The Defense Dependents' Education Act of 1978, referred to in text, is Pub. L. 95-561, title XIV, Nov. 1, 1978, 92 Stat. 2365, as which is classified principally to chapter 25A (§ 921 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 921 of Title 20 and Tables.

EFFECTIVE DATE

Section effective Oct. 1, 1978, and no provision to be construed in impair or to prevent the taking of effect of any other Act providing for the transfer of the described functions to an executive department having responsibility for education, see section 1415 of Pub. L. 95-561, set out as an Effective Date note under section 921 of Title 20, Education.

CHAPTER 15—PROHIBITIONS AND PENALTIES

§ 801. Restriction on payment to certain officers

EMPLOYMENT BY FOREIGN GOVERNMENT

Pub. L. 95-105, title V, § 509(a) to (c), Aug. 17, 1977, 91 Stat. 859, provided that:

"(a) Subject to the condition described in subsection (b), the consent of Congress is granted to—

"(1) any retired member of the uniformed services,

"(2) any member of a Reserve component of the Armed Forces, and

"(3) any member of the commissioned Reserve Corps of the Public Health Service,

to accept any civil employment (and compensation therefor) with respect to which the consent of Congress is required by the last paragraph of section 9 of article I of the Constitution of the United States, relating to acceptance of emoluments, offices, or titles from a foreign government.

"(b) No individual described in subsection (a) may accept any employment or compensation described in such subsection unless the Secretary concerned and the Secretary of State approve such employment.

"(c) For purposes of this section, the term—

"(1) 'uniformed services' means the Armed Forces, the commissioned Regular and Reserve Corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration;

"(2) 'Armed Forces' means the Army, Navy, Air Force, Marine Corps, and Coast Guard; and

"(3) 'Secretary concerned' means—

"(A) the Secretary of the Army, with respect to retired members of the Army and members of the Army Reserve;

"(B) the Secretary of the Navy, with respect to retired members of the Navy and the Marine Corps, members of the Navy and Marine Corps Reserves, and retired members of the Coast Guard and members of the Coast Guard Reserve when the Coast Guard is operating as a service in the Navy;

"(C) the Secretary of the Air Force, with respect to retired members of the Air Force and members of the Air Force Reserve;

"(D) the Secretary of Transportation, with respect to retired members of the Coast Guard and members of the Coast Guard Reserve when the Coast Guard is not operating as a service in the Navy;

"(E) the Secretary of Commerce, with respect to retired members of the commissioned corps of the National Oceanic and Atmospheric Administration; and

"(F) the Secretary of Health, Education, and Welfare, with respect to retired members of the commissioned Regular Corps of the Public Health Service and members of the commissioned Reserve Corps of the Public Health Service."

CHAPTER 17—MISCELLANEOUS RIGHTS AND BENEFITS

§ 905. Officers of Navy or Marine Corps not covered by section 904 of this title: effective date of beginning of pay and allowances

[*See main edition for text of* (a) *to* (g)]

(h) A member of the naval service who is appointed under section 5787 or 5787d of title 10 is entitled to the pay and allowances of the grade in which appointed from the date that appointment is made. Such a member may not suffer a reduction in the pay and allowances to which he was entitled at the time of his appointment.

(As amended Pub. L. 95-377, § 9, Sept. 19, 1978, 92 Stat. 721.)

AMENDMENTS

1978—Subsec. (h). Pub. L. 95-377 inserted reference to section 5787d.

CHAPTER 19—ADMINISTRATION

§ 1009. Adjustments of compensation

ADJUSTMENT OF PAY RATES EFFECTIVE OCT. 1, 1978

Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, set out as a note under section 5332 of Title 5, Government Organization and Employees, provided for an adjustment of pay rates under this section effective Oct. 1, 1978. See Schedule set out below:

SCHEDULE 4

Pay and Allowances of the Uniformed Services

PART I—MONTHLY BASIC PAY

(Years of service computed under 37 U.S.C. 205)

Commissioned Officers

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-10[1]	$3298.20	3414.30	$3414.30	$3414.30	3414.30
O-9	2923.20	3000.00	3063.60	3063.60	3063.60
O-8	2647.50	2727.00	2791.80	2791.80	2791.80
O-7	2199.90	2349.60	2349.60	2349.60	2454.90
O-6	1630.50	1791.90	1908.60	1908.60	1908.60
O-5	1304.40	1531.80	1637.40	1637.40	1637.40
O-4	1099.50	1330.30	1428.00	1428.00	1454.10
O-3[2]	1021.80	1142.10	1220.70	1350.90	1415.40
O-2[2]	890.70	972.90	1168.80	1208.10	1233.00
O-1[2]	773.10	804.90	972.90	972.90	972.90

Pay Grade	Over 8	Over 10	Over 12	Over 14	Over 16
O-10[1]	$3545.10	$3545.10	$3816.90	$3816.90	$4089.90*
O-9	3141.90	3141.90	3272.10	3272.10	3545.10
O-8	3000.00	3000.00	3141.90	3141.90	3272.10
O-7	2454.90	2597.40	2597.40	2727.00	3000.00
O-6	1908.60	1908.60	1908.60	1973.40	2286.00
O-5	1637.40	1687.20	1777.50	1896.30	2038.50
O-4	1518.90	1632.10	1713.60	1791.90	1869.90
O-3[2]	1466.70	1545.30	1622.10	1662.00	1662.00
O-2[2]	1233.00	1233.00	1233.00	1233.00	1233.00
O-1[2]	972.90	972.90	972.90	972.90	972.90

Pay Grade	Over 18	Over 20	Over 22	Over 26	Over 30
O-10[1]	$4089.90*	$4363.50*	$4363.50*	$4635.60*	$4635.60*
O-9	3545.10	3816.90	3816.90	4089.90*	4089.90*
O-8	3414.30	3545.10	3687.30	3687.30	3687.30
O-7	3206.10	3206.10	3206.10	3306.109	3306.10
O-6	2403.00	2454.90	2597.40	2817.00	2817.00
O-5	2155.80	2220.60	2298.30	2298.30	2298.30
O-4	1922.10	1922.10	1922.10	1922.10	1922.10
O-3[2]	1662.00	1662.00	1662.00	1662.00	1662.00
O-2[2]	1233.00	1233.00	1233.00	1233.00	1233.00
O-1[2]	972.90	972.00	972.90	972.90	972.90

[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $5114.70* regardless of cumulative years of service computed under Section 205 of Title 37 of the United States Code.

[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as enlisted members.

* Basic pay is limited by Section 5308 of Title 5 of the United States Code to the rate for level V of the Executive Schedule. In addition, pursuant to Section 304 of the legislative Branch Appropriation Act, 1979, funds are not available to pay a salary in this schedule at a rate which exceeds the rate for level V of the Executive Schedule in effect on September 30, 1978, which is $3958.20 per month.

Commissioned officers who have been credited with over 4 years' active service as enlisted members

(Years of service computed under 37 U.S.C. 205)

Pay Grade	Over 4	Over 6	Over 8	Over 10
O-3	$1350.90	$1415.40	$1466.70	$1545.30
O-2	1208.10	1233.00	1272.30	1338.30
O-1	972.90	1039.20	1077.60	1116.60

Pay Grade	Over 12	Over 14	Over 16	Over 18
O-3	$1622.10	$1687.20	$1687.20	$1687.20
O-2	1389.90	1428.00	1428.00	1428.00
O-1	1155.60	1208.10	1208.10	1208.10

Pay Grade	Over 20	Over 22	Over 26	Over 30
O-3	$1687.20	$1687.20	$1687.20	$1687.20
O-2	1428.00	1428.00	1428.00	1428.00
O-1	1208.10	1208.10	1208.10	1208.10

Warrant Officers

(Years of service computed under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W-4	$1040.70	$1116.60	$1116.60	$11472.0	$1194.30
W-3	946.20	1026.30	1026.30	1039.20	1051.50
W-2	828.60	896.10	896.10	922.20	972.90
W-1	690.30	791.70	791.70	857.40	896.10

Pay Grade	Over 8	Over 10	Over 12	Over 14	Over 16
W-4	$1246.800	$1299.00	$1389.90	$1454.10	$1505.70
W-3	1128.30	1194.30	1233.00	1272.30	1310.40
W-2	1026.30	1065.00	1104.00	1142.10	1182.00
W-1	934.80	972.90	1013.10	1051.50	1090.20

Pay Grade	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$1545.30	$1596.90	$1649.40	$1777.50	$1777.50
W-3	135.90	1403.10	1454.10	1505.70	1505.70
W-2	1220.70	1259.40	1310.40	1310.40	1310.40
W-1	1128.30	1168.80	1168.80	1168.80	1168.80

Enlisted Members

(Years of service computed under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-9[1]	$0	$0	$0	$0	$0
E-8	0	0	0	0	0
E-7	692.70	747.60	775.50	302.20	830.10
E-6	598.20	652.20	679.50	708.00	734.40
E-5	525.30	571.50	599.40	625.50	666.30
E-4	504.90	533.10	564.30	606.40	632.40
E-3	485.40	512.10	532.80	553.80	553.80
E-2	467.40	467.40	467.40	467.40	467.40
E-1	419.40	419.40	419.40	419.40	419.40

Pay Grade	Over 8	Over 10	Over 12	Over 14	Over 16
E-9[1]	$0	$1182.30	$1209.30	$1236.90	$1265.40
E-8	992.10	1019.70	1047.00	1074.60	1102.50
E-7	856.20	883.50	911.10	952.20	979.20
E-6	761.40	789.30	830.10	8956.20	883.50
E-5	693.00	721.20	747.60	761.40	761.40
E-4	632.40	632.40	632.40	632.40	632.40
E-3	553.80	551.80	553.80	551.80	553.80
E-2	467.40	467.40	467.40	467.40	467.40
E-1	419.40	419.40	419.40	419.40	419.40

Enlisted Members—Continued

	Over 18	Over 20	Over 22	Over 26	Over 30
E-9[1]	$1293.30	$1318.50	$1388.10	$1522.80	$1522.80
E-8	1128.00	1155.90	1223.70	1360.20	1360.20
E-7	1006.80	1019.70	1088.40	1223.70	1223.70
E-6	897.00	897.00	897.00	8907.00	897.00
E-5	761.40	761.40	761.40	761.40	761.40
E-4	632.40	632.40	632.40	632.40	632.40
E-3	553.80	553.80	553.80	553.80	553.80
E-2	467.40	467.40	467.40	467.40	467.40
E-1	419.40	419.40	419.40	419.40	419.40

[1] While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is $1754.40 regardless of cumulative years of service computed under Section 205 of Title 37 of the United States Code.

PART II—BASIC ALLOWANCE FOR SUBSISTENCE RATES

Officers	$62.80 per month
Enlisted Members:	
When on leave or authorized to mess separately.	$3.00 per day
When rations in-kind are not available.	$3.38 per day
When assigned to duty under emergency conditions where no messing facilities of the United States are available.	$4.48 per day

PART III—MONTHLY BASIC ALLOWANCE FOR QUARTERS RATES

Pay Grade	Without dependents		With dependents
	Full rate [1]	Partial rate [2]	
Commissioned Officers			
O-10	$357.90	$50.70	$447.60
O-9	357.90	50.70	447.60
O-8	357.90	50.70	447.60
O-7	357.90	50.70	447.60
O-6	321.30	39.60	391.80
O-5	296.10	33.00	356.70
O-4	263.70	26.70	318.30
O-3	231.90	22.20	286.20
O-2	201.30	17.70	254.70
O-1	154.90	13.20	204.60
Warrant Officers			
W-4	$254.10	25.20	$306.60
W-3	226.50	20.70	279.30
W-2	197.10	15.90	250.50
W-1	177.90	13.80	230.40
Enlisted Members			
E-9	$191.70	18.60	$269.70
E-8	176.70	15.30	249.30
E-7	150.30	12.00	231.90
E-6	136.50	9.90	213.30
E-5	131.10	8.70	195.90
E-4	115.60	8.10	172.50

PART III—MONTHLY BASIC ALLOWANCE FOR QUARTERS RATES—Continued

Pay Grade	Without dependents		With dependents
	Full rate [1]	Partial rate [2]	
E-3	103.50	387.80	150.30
E-2	91.50	7.20	150.30
E-1	86.40	6.90	150.30

[1] Payment of the full rate of basic allowance for quarters at these rates for members of the uniformed services to personnel without dependents is authorized by 37 U.S.C. 403 and Part IV of Executive Order No. 11157, as amended.

[2] Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under 37 U.S.C. 403(b) or 403(c), are not entitled to the full rate of basic allowance for quarters, is authorized by 37 U.S.C. 1009(d) and Part IV of Executive Order No. 11157, as amended.

PART IV—MONTHLY RATE OF CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by Section 203(c) of Title 37 of the United States Code is adjusted from $332.70 to $351.00.

EXECUTIVE ORDER No. 11941

Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43899, as amended by Ex. Ord. No. 11943, Oct. 25, 1976, 41 F.R. 47213, set out as a note under section 5332 of Title 5, Government Organization and Employees, which provided for the adjustment of pay rates effective Oct. 1, 1976, was superseded by Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, set out as a note under section 5332 of Title 5.

EXECUTIVE ORDER No. 11998

Ex. Ord. No. 11998, June 27, 1977, 42 F.R. 33021, formerly set out as a note under this section, which related to the President's Commission on Military Compensation, was revoked by Ex. Ord. No. 12110, Dec. 28, 1978, 44 F.R. 1069, set out as a note under section 14 of the Federal Advisory Committee Act, which is set out in the Appendix to Title 5, Government Organization and Employees.

EXECUTIVE ORDER No. 12010

Ex. Ord. No. 12010, Sept. 28, 1977, 42 F.R. 52365, formerly set out as a note under section 5332 of Title 5, Govrenment Organization and Employees, which provided for the adjustment of pay rates effective Oct. 1, 1977, was superseded by Ex. Ord. No. 12087, Oct. 7, 1978, 43 F.R. 46823, set out as a note under section 5332 of Title 5.